

**TOWN COUNCIL  
REGULAR MEETING  
JULY 3, 2001**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:04 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Paul and Councilmembers Clark, Starkey and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

**3. OPEN PUBLIC MEETING**

Regarding the SW 31st Court road closure, Mr. Willi explained the traffic calming project at SW 31st Court and Shotgun Road and the intent to remove all traffic except for residential on a portion of 148th Avenue from 26th Street south to 31st Court. He pointed out that traffic in this area was a liability to the Town and the plan would improve Oakhill traffic. Mr. Willi spoke about safety issues and assured residents that the Police and Fire Department's response would not be hindered. The Town had set up a response line for resident input and he apologized for any inconvenience to the public.

Mayor Venis advised that this was part of a comprehensive study in the Oakhill area and spoke about recent meetings he had attended regarding South Post Road and 14th Street. He stated that the Florida Department of Transportation (FDOT) was in opposition to the Town in planning for off ramps in this area. Resident input had included the concern that this would compromise the rural character of this area. Mayor Venis stated that residents would be invited to participate in an upcoming meeting to offer their views. The FDOT wanted to have this meeting in July and Mayor Venis advised them that more careful planning was necessary as some residents were on vacation, so an immediate meeting was not possible. He spoke about the requests received by Councilmembers to install speed humps in this area and other areas of western Davie. Mayor Venis felt that safety was an important issue and a concern with cut-through traffic.

Mr. Willi advised that this issue was not a recent one, but had been looked at for the last two years. He added that many complaints had been received about speeding in the area and these concerns needed to be addressed. Mr. Willi stated that the quality of life on a residential street was important and it was crucial to implement a plan that would not divide the neighborhood.

Councilmember Truex asked about the emergency response. Mr. Willi spoke about the temporary barricades and explained that emergency vehicles could move them aside to get through. The permanent plan in the cul de sac would provide space in the landscape to allow for a Fire Department vehicle to pass.

Councilmember Starkey suggested that a long range traffic study was in order to consider the impact of other development in the Oakhill area, as well as school boundary changes. She spoke about the increased complaints of traffic problems and recommended a traffic counter, which she explained would not be effective while the road was closed. Councilmember Clark stated that an accurate study was important and if the road was not studied before it was closed, the plan would be based only on complaints received.

Mr. Willi stated that SW 148th Avenue was not sufficient to support two-way traffic and it should not be allowed. He explained that this was the only connection from 31st Court to the rest of the Town.

Mayor Venis advised the speakers of the Open Public Meeting procedures.

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Steve Paris, 15001 SW 31 Court, stated that he spoke to the Council on this issue one month ago. Since then, he received information from Police Chief John George indicating just nine tickets in the last seven months, and no heavy traffic or speeding problems. Mr. Paris stated that the speed humps had dealt with the issue and advised that he was told that Mr. Willi was directed by the Council to close the street. Councilmember Clark stated that she did not make this direction and was not asked about this issue.

Mr. Willi clarified that in a land preservation meeting, this was discussed and four Councilmembers were in attendance for a discussion on road calming. He added that it was always Council's intent to act upon the wishes of the residents.

Mr. Paris indicated that since the road was closed, 488 signatures were collected to open this road. He added that fire and police responses could be delayed as a result and he was incensed that residents were not notified of this closing, which occurred on a Friday afternoon.

Arthur Joseph, 13700 SW 18 Court, stated that he used the road often and stated that 148th was a nice rural road, although not wide enough for two cars. He spoke about Council's recent decision to turn down the Formosan Church on Hiatus Road and felt this was hypocritical. Mr. Joseph added that sidewalks on Shotgun Road and 139th Avenue were not in keeping with the rural theme of the Town. He spoke about the busy intersection at 14th Street and 136th Avenue which had been studied with no result.

Brenda Munson, 14591 23 Street, stated that she had spoken with residents who had all been rerouted because of the road closing and pointed out that traffic was simply moved to another area. She advised that this affected her quality of life and all residents who needed this road.

C. A. Cobb, 13316 SW 26 Street, was very disappointed that just a fraction of the residents could create a problem for so many others in the neighborhood. He indicated that all needed to remember that Davie was a community.

Joyce Cobb, 13316 SW 26 Street, agreed with previous comments and stated that the original 30 who promoted the closing of the road had been reduced to just 17 in support, as they felt it inconvenient to be rerouted, as well. She asked that the road be reopened.

Carol Clement, 15361 SW 31 Court, spoke about access for emergency vehicles and stated that she was sure it would slow the response time. She recommended more roads to accommodate the increase of people in Davie, not road closings. Ms. Clement indicated that this was not a safety issue, as children should be watched by adults and play in their yards. She stated that residents wanted the road open and offered a petition of signatures.

Councilmember Truex asked where the 500 signatures came from. Ms. Clement stated that it included those who used the road even if some were not Davie residents.

Mike Bender 13800 SW 31 Court, apologized for Davie residents who were inconvenienced by the road closure. He spoke about the off ramp from I-75 planned by the FDOT and the workshop he had attended. Mr. Bender advised the residents to attend these workshops if they were concerned about traffic. He asked the public not to blame Council for responding to requests by a group of residents. Mr. Bender spoke about the equestrian trail for Oakhill and felt the road closure would be important to its use. He asked residents to consider the benefit of this action and to look at the possibility of a traffic study.

Raul Bosque, 14801 SW 31 Court, reminded all that past Charter amendments did not get 100% voter approval. He spoke in favor of the closure, describing the traffic on 31st Court and 148th Avenue and the nature of the roads, which caused cars to have to pull off

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the road to pass. Mr. Bosque indicated that the closure had resulted in bicycles and horses on 148th again and suggested that those who want to see more roads and quicker access to their destination needed to live in a suburban community, not a rural one. Mr. Bosque felt that the road closure was a step toward making Oakhill rural once again and supporting the recent Charter amendment to preserve the rural character of Davie.

Richard Weiner, 10244 SW 18 Street, suggested that Mr. Willi's decision to close the road happened suddenly. Mr. Weiner spoke about neighbors who complained to him about the closure and stated that the Town should not have done this without a public hearing. He did not appreciate rumors being spread about him in regard to this issue. Mr. Weiner felt that since the road was public it should be reopened and studied properly.

Vice-Mayor Paul asked if a public hearing was required on this. Mr. Willi stated there was no Code requirement for this. He added that the closing of 31st Court was scheduled two or three weeks prior to when it was implemented.

Peter Rodriguez, 14941 SW 31 Court, spoke in favor of the closure, stating that he learned from a traffic engineering firm the process for closing a road. He described three types of roads: arterial roads, collector road, and local roads and indicated that each road had a purpose and intent and the engineer's opinion was that 148th was not even a local road, but a dirt road. Mr. Rodriguez stated that the process for closing began with taking a petition of residents, followed by temporary barricades for 60 days. A petition could be taken of residents in the area only after this 60-day period, not immediately following the closure. He pointed out that property values had increased in other areas where a similar action had been taken. He felt that the Town did what they were supposed to do and added that, in regard to the petition, the signatures needed to be taken from those living on the road, not outsiders.

Jean Carroll, 14501 SW 20 Street, was opposed, stating that the traffic on her road had increased greatly since this closure. She asked for a 4-way stop sign at 145th and added that she was not pleased that residents were not notified ahead of time.

Chris Carlton, 14330 SW 20 Street, stated that the traffic on 20th Street was very heavy during the school year and a study done now on the area would differ from what it would normally be as traffic had increased since the closure on 31st. He indicated that he would like to see speed humps on 20th Street. Mr. Carlton felt that sidewalks were important to the children in the area and asked for them to be added to 20th Street.

Pete Markowitz, 14721 SW 24 Street spoke in opposition, stating that his neighbors did not feel that this would alleviate traffic, but shift it to another area. He asked for the road to be opened tonight and felt that residents should have been asked about what they wanted. Mr. Markowitz indicated that he was a runner and the cars on that road had not been an inconvenience to him. He felt that those using the road did so for a reason and were part of the community.

Wayne Bottorff, 14661 SW 24 Street, suggested that the recent developments in western Davie had changed the area so that it was no longer rural. He did not appreciate the speed humps and felt that the extra traffic should be accommodated because the growth had already been allowed. Mr. Bottorff was offended that a small group of 31st Court residents could have such influence with Council. He added that 148th Avenue could accommodate two cars, as one always pulled over and he would like to see the barricades removed.

Judy Koscielniak, 14721 SW 24 Street, opposed the closing. She stated that 145th flooded regularly, which would create another closing.

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Chris Shortsley, 14661 SW 24th Street, suggested that effective planning needed full and open communication with residents. He agreed that 145th often flooded and continuing to reroute traffic there would prove to have disastrous results.

Charles Trowbridge, 14691 SW 21 Street, stated that his street was a dead end and in the 23 years he had lived there, it had been too dangerous for horses or children playing as people would speed. He stated that the dangers were being shifted to the residents of 20th Street and he was against the closure. Mr. Trowbridge did not feel that this was handled correctly, as there was no notification and no recording equipment. He asked Council to direct Mr. Willi to reopen the road.

Greg Carroll, 14501 SW 20 Street, had previously lived on 31st Court and was opposed. He spoke about the history of the road and his property, indicating that kids driving on this street would speed. Mr. Carroll stated that Ben Abrams dedicated this road to the Town and closing the road would not stop people from driving through the neighborhood.

Ron Bower, 14510 SW 20 Street, pointed out that the Town did not operate from a master plan. He stated that he had asked the Town for maintenance on 20th and 145th Avenue with no result. Mr. Bower felt that a master plan and plans for proper maintenance would be the correct way to handle this. He felt this was a traffic issue and should be addressed as such.

Linda Bosque, 14801 SW 31 Court, stated that the residents had talked with the Administration regarding speed humps and after they were installed, found they were not very effective in slowing down traffic. Ms. Bosque advised that she had spoken with the neighbors and she reported that 87% of the people agreed that a road closure was the next step. She felt that it was not wise to put up the barricades without notice and added that the plan should be for local traffic to be routed directly to the homes and cut-through traffic discouraged. Ms. Bosque indicated that she had attended the rural preservation board and heard it suggested that through streets should be constructed in Davie. She described her travel to work after being rerouted, stating that it took her only four more minutes.

Courtney Hancock, 14940 SW 31 Court, was neither in favor or opposed to the closure. She stated that future development in the Town could adversely affect local traffic and the Town should prepare for this eventuality.

Betty Paris, 15001 SW 31 Court, was opposed to the closing and felt that the numbers did not prove that a problem existed. She indicated that her family and property had been put at risk by the closure. Ms. Paris stated that 148th Street was not sufficient to accommodate fire and rescue and that the response time had been doubled. She described the path the garbage and recycling trucks needed to take, as a result, which seemed dangerous to residents. Ms. Paris added that there was now no school bus access as there was no way for them to turn around.

Mark Kendall, 3200 SW 148 Avenue, cited a news article where Southwest Ranches hoped to also control traffic. He stated that the road closure was an inconvenience, but limiting the cars had diminished the overall volume of traffic throughout the entire Oakhill area tremendously. Mr. Kendall felt this experiment needed time in order for it to be evaluated and added that solutions could be worked out for fire and rescue services.

Michelle Schwartz, 15091 SW 26 Street, was opposed and stated that her family had been before Council in the past to request paving. She understood that 148th Avenue would be a feeder road into I-595 and was intended to be a trafficked road. Ms. Schwartz stated that 20th Street had seen increased traffic and agreed that this would adversely affect

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property values for these residents. She suggested that if kids were causing problems in the morning and afternoon after school, a police officer should be on the scene and ticket them. Ms. Schwartz indicated that this action was politically motivated by a Councilmember in an effort to return a favor.

Carolee Colberg, 14881 SW 31 Court, was in favor and felt badly for those on 20th Street and the resulting traffic there. She felt that the residents had followed the correct sequence of actions in an effort to deal with speeding traffic. Ms. Colberg invited any resident to sit and watch what had taken place on her street with speeders and added that residents on 20th Street had the same options to take steps to deal with traffic. She stated that this plan needed to be given a chance.

Jim Annin, 15280 SW 31 Court, advised that he had signed the petition as he wanted it closed but at a different location. He had hoped it would be closed at the other end and did not understand 148th Avenue to be a dedicated road. Mr. Annin stated that the speed humps had been a help with the speeding cars and advised that a plan was needed that would benefit the whole community.

Curt Colberg, 14881 SW 31 Court, advised that he had signed the petition for many reasons and was disappointed by the affects of this action on 20th Street. He felt this was a problem and felt that all Oakhill residents had legitimate concerns about the future of the community where they had chosen to live. Mr. Colberg spoke about the Shenandoah community and the feeder roads, and added that residents needed to work together in an effort toward what was best for all.

Tim Munson, 14591 SW 23 Street, was opposed to the closure and felt that the impact to several other roads in the area was not fair to residents in those areas. He stated that condensing the traffic would increase the problem to other roads, which had been in place for years, but the traffic on 31st Court was there before the homes were built. Mr. Munson felt this should not have been handled suddenly, but publicized.

Jesus Hernandez, 14880 SW 31 Court, sympathized with 20th Street residents, but felt that the speeding on 31st Court had to be dealt with before a tragedy resulted.

Bruce McGee, 14181 SW 15 Court, agreed that the residents wanted a reduction in traffic. He cited a neighborhood on 441 south of Broward Boulevard which was saved by the closure of direct access from 441. Mr. McGee recommended a four-way stop at 20th Street and 145th, as this was a dangerous intersection and that the focus should be moving traffic in and out of Oakhill. He applauded Council for taking action, but felt a traffic engineer could be consulted and that one-way streets could be an option.

Norris Perez, 14751 SW 20 Street, stated that flooding, traffic and speeding described the dangerous traffic in her area and indicated that the safety of her children was at stake. Traffic enforcement was needed on her street and the speeders were local neighborhood homeowners.

Randy Mazie, 14161 SW 21 Street, was not opposed or in favor, but recommended that an overall picture of what was needed in Oakhill be looked at. He spoke about the importance of the Community Relations Advisory Board and its role in getting information out to the residents who would be affected. Mr. Mazie recommended that this Board be asked for its input.

Armando Negrin, 14820 SW 20 Street, objected to 31st Court traffic being dumped on his street indicating that the traffic problems on his street were already numerous.

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Nancy Schmidt, 14981 SW 31 Court, opposed the closure, stated that the community had been divided and she was concerned that the Town had not given consideration to the flooding before the closure. She added that the traffic should have been studied before this action was taken.

Rene Dibut, 14841 SW 31 Court, supported Councilmember Starkey's idea to get a vehicle count and suggested that this be done on 20th Street. He was in favor of the barricade being removed and felt the problem with speeders was a major one on both streets and counters should go up to initiate the study right away.

Joy Yoder, 12610 SW 13 Manor, did not appreciate police officers being tied up by complaints of residents in the affected area. She stated that she had been called to come to the area and sign a petition. Ms. Yoder reported that Council worked for the whole community, not just one section and its intent was to improve the whole area for residents. She added that her children needed to leave her development, as well, to meet their school bus and that residents should be willing to drive the extra few minutes.

Ms. Clement stated that she was on the site taking petition signatures for those wanting the closure in place and some residents had moved barricades on their own. She had a conversation with a postal worker who did not know about the road closure. Ms. Clement spoke about property values and felt they would be adversely affected.

Mr. Bosque stated that the residents on 31st Court followed the rules and the petition. He read a letter from Guy Amato, 15467 SW 20 Street, that spoke of an incident that occurred at the barricade involving his car and a possible danger to other motorists, as a result of action by Mr. Paris.

Mr. Willi observed that all residents agreed there was a major traffic concern in western Davie. He indicated that all aspects of the situation were considered before this plan was put into effect and the timing of the closure was planned to not inconvenience people early in the morning. Mr. Willi stated that this may need to be tied to the Town's master plan and agreed that a traffic consultant may be needed.

Councilmember Truex asked if the barricades would come down and Mr. Willi indicated that if it was the wish of Council, they would be removed. He agreed that notice should have been given and added that a traffic study was needed and a regional solution should be the goal. Fire rescue was a major concern of his, as seconds were so important and Mr. Willi recommended that the barricades come down for now.

Councilmember Clark apologized for not being able to attend the recent rural preservation workshop and asked if this subject was discussed. Vice-Mayor Paul stated that the general subject of road closures was discussed. Councilmember Clark did not feel there was any ill intent by Council or any of the residents and advised that relationships with neighbors needed to be saved and solutions needed to be sought. She had not discussed this with other Councilmembers prior to this meeting and stated that this closure was made without Council's knowledge.

Councilmember Starkey stated that she would like to see the long-range traffic study done and would like to see the barriers come down. She stated that future planning was needed to accommodate Imagination Farms and the Orange Drive bridge and agreed that an outside engineering consultant may be important. Councilmember Starkey did not feel the ultimate solution was to close roads throughout the Town.

Vice-Mayor Paul thought that road closings were the starting point in preserving rural character, but felt this may have been a misconception. She was very disappointed about

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the comments made about her behavior, as she had followed a policy of honesty and openness, treating all with respect and courtesy. Vice-Mayor Paul reported that she asked Mr. Willi several times about the procedure and was assured that the initial petition signatures needed to be only those on 31st Court. She indicated she would not abandon the people on 31st Court and had not anticipated this reaction, advising that it was important to not divide the neighborhood. Vice-Mayor Paul thanked Mr. Bender and Mr. Bosque as they had motivated many issues that had come before Council which had saved western Davie from unwise development. She spoke of her concerns about the I-75 interchanges at Old Post Road and 14th Street and reported on Stirling Road which was taken off the interchange plan by the Ivanhoe residents and their dedication to this cause. Vice-Mayor Paul advised that it was crucial for residents of Oakhill to work and be responsible to ensure that the area remained rural. She stated that she did not agree with taking down the barricades as she felt that once emotions calmed down, the plan could work but she would defer to Mr. Willi and his decision. Vice-Mayor Paul asked for a police officer to go to the area, as her concern was for public safety on that street. She thanked the residents of 31st Court for what they had done as they had come in with an idea and took action.

Mayor Venis agreed with the plan for a comprehensive study in Oakhill and stated that the intent had always been to help the residents and not to divide the community. He apologized for any inconvenience to residents, but reminded everyone that this was an experiment. Mayor Venis added that residents were truly sensitive to each other and they did not want to adversely affect those on 20th Street. A meeting would be held in September regarding the interchanges and he asked residents to attend these meetings. He stated that a comprehensive study would be made and asked Mr. Willi to notify residents through the mail on future closings.

Vice-Mayor Paul asked Mr. Willi to create a database of residents who spoke at this meeting and for future meetings, as well.

Mr. Willi stated that he understood Council's direction and indicated that the barricades would come down in the morning.

#### **4. PRESENTATIONS**

4.1 Police Academy Graduates

4.2 Upcoming Special Events - Bonnie Stafiej and Dennis Andresky

These items were not discussed.

4.3 Quasi Judicial Procedure - Zacco Property

This item was discussed later in the meeting.

#### **5. MAYOR/COUNCILMEMBER'S COMMENTS**

##### **MAYOR VENIS**

**4TH OF JULY.** Mayor Venis spoke about the 4th of July events at Pine Island Park.

**HAPPY BIRTHDAY.** Mayor Venis wished his wife a belated happy birthday.

**CONGRATULATIONS.** Mayor Venis congratulated his daughter for being on the honor roll and his son for getting the Strive Award at Indian Ridge Middle.

**SUNRISE WATER.** Mayor Venis advised that he had met with Mr. Cohen on the Sunrise water issue and staff had a plan for what would be done.

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**SENIOR OF THE YEAR.** Mayor Venis congratulated the seniors who won the Senior of the Year Award and advised that they would appear in the Davie Update.

**PARK CITY WEST.** Mayor Venis stated that the minutes of these meetings were given to him and the garbage issue was being pursued.

**FDOT ISSUES.** Mayor Venis stated that there would be a meeting held in September regarding the interchanges and future plans.

**ECONOMIC DEVELOPMENT COUNCIL.** Mayor Venis stated that he was a guest speaker at this meeting and Council had requested that a study done four or five years ago be updated. He indicated that faults had been found in the previous study and he felt this study should be disallowed to be referenced by petitioners. Mayor Venis asked this to be put on the next meeting's agenda.

**COUNCILMEMBER CLARK**

**BAMFORD SPORTS COMPLEX.** Councilmember Clark indicated that she had received a complaint about renaming this complex. She spoke about the current contest to rename it and cautioned Council about changing the name, as this was a family name. Vice-Mayor Paul stated that it was agreed at a previous meeting the name "Bamford" would remain as part of the new name. Councilmember Starkey stated that the intent was to put a name on the entire complex, not to take away from what had already been memorialized.

**LEFMARK PROPERTY.** Councilmember Clark was pleased that this building was coming down to allow for something else to be built on the site.

**RURAL LIFESTYLE WORKSHOP.** Councilmember Clark apologized for missing this meeting.

**COMMUNITY RELATIONS ADVISORY BOARD.** Councilmember Clark spoke well of those who had been appointed to this board.

**COUNCILMEMBER TRUEX**

Councilmember Truex indicated that he did not have any comments.

**COUNCILMEMBER STARKEY**

**4TH OF JULY.** Councilmember Starkey wished all a happy holiday.

**COUNCILMEMBER PAUL**

**ZONING IN PROGRESS.** Vice-Mayor Paul made a motion, seconded by Councilmember Truex, to create a zoning in progress to be implemented immediately to cover from Nob Hill on the east, 14th Street on the north, the Town limits on the west and the south and to put into place the appropriate legislation to accomplish the wishes of the people's mandate to preserve the rural lifestyle of Davie.

Mr. Kutney indicated that these project parameters had been suggested by staff and with parcels 20 acres or greater. This would not include any application that had already been filed and was pending. He stated that a study would be prepared leading to a land development or zoning change amendment, or comprehensive plan amendment, if necessary. Mr. Kutney suggested individual meetings with Councilmembers and Mr. Willi to discuss this further. He stated that the issue of urban sprawl and maintaining rural areas needed to be addressed, adding that the geographical area needed to be looked at. He suggested workshops or small meetings during the six months that this would take, in



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order to keep Council apprised. Mr. Kutney felt that cluster development could be an option. He stated that a floating zone concept could work and indicated that rural service areas impact zoning and traffic calming would be looked at.

In a voice vote, all voted in favor. (Motion carried 5-0)

**4.3** Councilmember Starkey brought up the previous motion to deny Mr. Zacco's property, which occurred at the previous meeting and indicated that there were several issues that needed more consideration.

Councilmember Starkey made a motion, seconded by Vice-Mayor Paul, to reconsider this denial and look into the traffic study and several other issues.

Councilmember Truex disclosed that he had received some materials from Mr. Blanco and Michelle Mellgren. In discussion it was found that not all Councilmembers received the same packets.

In a voice vote, with Councilmembers Truex and Clark dissenting, all voted in favor. (Motion carried 3-2)

Dave Mancudo, representing the owner of Pelican Bay, stated that this motion represented a wrong procedure according to Robert's Rules of Order explaining that such a motion needed to be done at the same meeting. Mr. Kiar disagreed, stating that Robert's Rules stated that an issue could be reconsidered at the next meeting. He spoke about the fact sheet distributed to some Councilmembers, stating that when this was revealed it should have been introduced into evidence. Mr. Kiar recommended that this quasi-judicial item be readvertised.

Mr. Mancudo cited Florida Statute 286.0115(c) regarding written communication as it related to quasi-judicial being made part of the record.

Councilmember Starkey asked if the next meeting would give staff enough time to review the traffic study given to them at such a late hour. Mr. Kutney felt that the first meeting in August would be appropriate timing.

After some discussion, Councilmember Truex asked Mr. Willi to direct Mr. Kiar to create a memo explaining the legal and appropriate procedures for quasi judicial. Mr. Kiar referred to the State Statute cited and read paragraph four, regarding disclosure. Mayor Venis spoke about how rules had changed over the years and asked Mr. Kiar to provide direction. He asked that this item be readvertised for the first meeting in August.

## **6. TOWN ADMINISTRATOR'S COMMENTS**

**LEFMARK.** Mr. Willi indicated that the buildings at the old Winn-Dixie shopping center were scheduled to come down which would provide for new development.

**HURRICANE MANUAL.** Mr. Willi indicated that the Town had published a hurricane manual, which was being sent out to residents.

**BUDGET.** Mr. Willi reported that departments had been submitting their budgets and hearing dates were being scheduled.

**SAFE DRIVER TRAINING.** Mr. Willi stated that all employees who drove Town vehicles would be taking safe driver training.

**DEPARTMENT REORGANIZATIONS.** Mr. Willi advised that information regarding the Fire Department would be brought to the next meeting and the Human Resources office was being relocated.

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**LANDACQUISITIONPROJECT.** Mr. Willi stated that the Town was keeping an eye on the \$400 million Broward County bond land acquisition project. He advised that a resolution had been created to indicate what staff had determined the Town's share of this total should be - between \$12 and \$18 million.

**7. TOWN ATTORNEY'S COMMENTS**

**142ND AVENUE RIGHT-OF-WAY.** Mr. Kiar stated that the road right-of-way could be vacated and indicated that there was no need for a quit claim deed for any of the property owners. He stated that the proposed ordinance would accomplish this vacation reverting right-of-way to abutting property owners.

Councilmember Truex stated that he had spoken to Mr. McGee regarding this and asked that this be incorporated into the traffic study as a result of the road closure, so that all residents were noticed. Mr. McGee advised that this road was not part of the trafficway and had not been in use and hoped that this would move forward. He advised that the impact was broader than just to the people on 142 Avenue as it would open up a major thoroughfare through a "sleepy little heart" of Oakhill, which would be a catastrophe.

Discussed followed on the various ways this could be advertised, signs being posted and a notice being mailed.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to move this forward. In a voice vote, all voted in favor. (Motion carried 5-0)

Mr. Willi indicated that staff would need time to prepare the documentation and meet advertising deadlines, so he would like to add this to the agenda for the first meeting in August.

**BEST WISHES.** Mr. Kiar wished Councilmember Clark the best of luck on the delivery of her baby.

Councilmember Truex stated that he had discussed the matter of multiple Councilmembers attending advisory board meetings with Mr. Kiar. He asked that Mr. Kiar draft a memorandum regarding a way of advertising so that multiple Councilmembers could attend meetings. Mr. Willi indicated that a change had been made to the notice of meetings which indicated that Councilmembers may be present at board meetings.

**8. CONSENT AGENDA**

*Minutes*

8.1 June 6, 2001 - Regular Meeting

*Proclamation*

8.2 Prostate Cancer Awareness Month (September 2001)

*Home Occupational Licenses*

8.3 Chemical Depot & Supply, Inc., 4252 SW 92 Avenue (tabled from June 20, 2001)

8.4 Angie L. Darr, 13900 SW 15 Court

8.5 Moon Plumbing, 14801 SW 27 Street

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8.6 Perfect Party Ponies & More, 1901 SW 112 Avenue

*Resolutions*

8.7 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING  
R-2001-181 THE BIDS FOR MISCELLANEOUS UTILITY REPAIR PARTS, CITY OF  
DEERFIELD BEACH BID #2000-01/08. (lowest responsive and responsible  
bidder - \$24,000/year)

8.8 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING  
R-2001-182 THE BID FOR OFFICE FURNITURE FOR THE DEVELOPMENT SERVICES  
DEPARTMENT, STATE OF FLORIDA BID #425-001-01-1. (Designer Service  
Bureau - \$15,750.30)

8.9 **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2001-183 AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FUNDS  
UNDER THE U.S. DEPARTMENT OF JUSTICE LOCAL LAW  
ENFORCEMENT BLOCK GRANTS PROGRAM FOR \$82,501, AUTHORIZING  
THE ACCEPTANCE OF SAID FUNDS, ALLOCATING THE REQUIRED  
MATCH FROM THE LAW ENFORCEMENT TRUST FUND, AND  
AUTHORIZING THE APPROPRIATE TOWN OFFICIALS AND STAFF TO  
IMPLEMENT SAID GRANT PROGRAMS. (Town match - \$9,167)

8.10 **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2001-184 AUTHORIZING THE APPLICATION FOR A GRANT FROM THE LAND  
AND WATER CONSERVATION FUND PROGRAM AND THE INTENT TO  
UPDATE THE CAPITAL IMPROVEMENT PLAN TO INCLUDE THE  
APPLICABLE GRANT PROJECT LOCATED AT SILVER LAKES PARK,  
DAVIE, FLORIDA AT THE TIME IT IS FUNDED BY THE U.S. DEPARTMENT  
OF INTERIOR, NATIONAL PARK SERVICE. (\$201,950 grant; Town match -  
\$100,975)

8.11 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2001-185 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT  
BETWEEN THE BLUE RIDGE HOMEOWNERS ASSOCIATION AND THE  
TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

8.12 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2001-186 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT  
BETWEEN THE WEST RIDGE HOMEOWNERS ASSOCIATION AND THE  
TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

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- 8.13  
R-2001-187     **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE HARMONY LAKES ESTATES HOMEOWNERS ASSOCIATION AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.**
- 8.14  
R-2001-188     **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE HARMONY LAKES CENTRAL HOMEOWNERS ASSOCIATION AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.**
- 8.15  
R-2001-189     **SUPPORT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA SUPPORTING THE BROWARD COUNTY COMMISSION AND THE SUPERVISOR OF ELECTIONS' EFFORT TO UPGRADE VOTING EQUIPMENT TECHNOLOGY.**
- 8.16  
R-2001-190     **CLASS SPECIFICATIONS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE CLASS SPECIFICATIONS OF ASSISTANT HUMAN RESOURCES DIRECTOR AND HUMAN RESOURCES ANALYST AND ASSIGNING PAY GRADES IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN.**
- 8.17  
R-2001-191     **SETTLEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A STIPULATED SETTLEMENT AGREEMENT WITH ROBERT L. CUMMINGS AND HELEN L. CUMMINGS PERTAINING TO CASE NUMBER 99-018794 CACE (14); PROVIDING FOR AN EFFECTIVE DATE. (\$52,000)**
- 8.18  
R-2001-192     **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, COOPER CITY, GL HOMES OF DAVIE ASSOCIATES, II, LTD., CONTINENTAL CITRUS CORPORATION, ROYAL GRIFFIN, LTD., GMAC RESIDENTIAL FUNDING GROUP CORP., WASHINGTON MUTUAL BANK, F.A.; FOR ROAD CONCURRENCY RELATING TO THE LONG LAKE ESTATES II PLAT AND ROYAL GRIFFIN PLAT; PROVIDING FOR MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE LONG LAKE ESTATES II PLAT AND ROYAL GRIFFIN PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 6-1-01, Long Lake Estates II, 3501 Nob Hill Road)**

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- 8.19  
R-2001-193     **REVISION TO RESTRICTIVE NOTE A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "PARKWAY CHRISTIAN CHURCH - DAVIE PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 12-2-00, 1200 South Flamingo Road)**
- 8.20  
R-2001-194     **INTERLOCAL AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A PROPOSED INTERLOCAL AGREEMENT WITH THE TOWN OF SOUTHWEST RANCHES FOR DELIVERY OF CODE COMPLIANCE SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 8.21  
R-2001-195     **COUNTY BOND DISTRIBUTION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA REQUESTING THE BROWARD COUNTY COMMISSION AND THE LAND PRESERVATION AND ACQUISITION ADVISORY BOARD DISTRIBUTE PROCEEDS OF THE \$400 MILLION SAFE PARKS AND LAND PRESERVATION BOND ISSUE EQUITABLY AMONG ALL BROWARD CITIES.**
- 8.22  
R-2001-196     **COMMUNICATIONS SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE RATE OF TAX IMPOSED UPON THE SALE OF COMMUNICATIONS SERVICES UNDER THE COMMUNICATIONS SERVICES TAX SIMPLIFICATION LAW; PROVIDING FOR INTENT; PROVIDING FOR ADOPTION OF A TAX RATE; PROVIDING FOR REPEAL OF INCONSISTENT RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.**
- 8.23  
R-2001-197     **COMMUNICATIONS SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO DESIGNATION OF THE TOWN ADMINISTRATOR TO RECEIVE AND REVIEW CONFIDENTIAL INFORMATION CONCERNING THE LOCAL COMMUNICATIONS SERVICE TAX; PROVIDING FOR SHARING THIS INFORMATION; REQUIRING THAT THIS INFORMATION REMAIN CONFIDENTIAL; PROVIDING FOR NOTICE TO THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

*Site Plans*

- 8.24     *SP 11-2-00, Long Lake Ranches, 3501 Nob Hill Road (AG and E) Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report; subject to the applicant coming up with additional architectural treatment on the other three sides of the houses to identify them with their fronts; that the clubhouse tower be recessed to give it some depth and that Bahama shutters be added*

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*Temporary Use Permit*

8.25 TU 6-3-01, Davie United Methodist Church, 6500 SW 47 Avenue

Councilmember Starkey asked that item 8.1 be removed from the Consent Agenda. Councilmember Truex asked that items 8.3, 8.4, and 8.20 be removed. Vice-Mayor Paul asked that item 8.24 be removed.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark, to approve Consent Agenda minus those items. In a voice vote, all voted in favor. (Motion carried 5-0)

8.1 Councilmember Starkey asked that this item be tabled as she had some corrections.

Councilmember Starkey made a motion, seconded by Councilmember Truex, to table until next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

8.3 Councilmember Truex asked the applicant where these chemicals would be stored. The applicant indicated that this was strictly a phone and fax business and the chemicals were kept in Miami, then drop-shipped.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

8.4 Councilmember Truex asked if this business was mailing out of this address. Mr. Kutney indicated that there was nothing in the applicant's license to indicate this, but they could be invited to come before Council to declare.

Councilmember Truex made a motion, seconded by Councilmember Clark, to table until the next meeting [July 18, 2001]. In a voice vote, all voted in favor. (Motion carried 5-0)

8.20 Norm Blanco, 2080 SW 72 Avenue, was against providing Code Compliance services to Southwest Ranches.

Mayor Venis stated that he had spoken to the attorney for Southwest Ranches and indicated that the attorney wanted to change the agreement to an hourly basis. Mr. Willi stated that staff had some problems with the language in the new agreement and the proposed resolution was a counteroffer to the one proposed. Mayor Venis stated that there were several questions about utilizing the Town's Special Master and who would do the prosecuting. He stated that he did not know the actual changes and asked if the item on the agenda was accurate. Mr. Kutney stated that the proposed resolution was not what Southwest Ranches had approved, but represented staff's changes to their proposed agreement.

Councilmember Clark was concerned that providing Code Compliance services to Southwest Ranches would prove to be a burden on the Town as the current staff was not sufficient to deal with the Town's complaints. Council's original concern was that Code Compliance was reactive, not proactive and she wanted to guard against losing a Code Compliance Inspector. Vice-Mayor Paul suggested that another Inspector could be hired. Mr. Willi felt that it was not wise to hire a new full-time employee based on this agreement, as there was a 30-day termination clause. He felt that Councilmember Clark's concern was valid and added that a working relationship with Southwest Ranches was important for the future. Mr. Willi stated that an additional Code Compliance Inspector could be hired 60 or

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90 days into this contract. Mr. Kutney stated that three new officers would be coming on staff this month.

Councilmember Starkey made a motion, seconded by Vice-Mayor Paul, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

**8.24** Vice-Mayor Paul advised that she had some objections to this item at Site Plan Committee meeting and reported that this item was tabled by the Committee.

Mayor Venis asked if three members were present and the vote was 2-1 with Vice-Mayor Paul responding affirmatively. He asked Mr. Kiar if three votes were necessary. Mr. Kiar advised that the Charter provided for an automatic tabling should there be a 2-1 vote of Council. He added that under Robert's Rules of Order, a 2-1 vote was proper, but the Charter provided that Council could make an exception and request it go back for a majority vote.

Mayor Venis stated that as recommendations from the Committee and the Planning and Zoning Board came directly to Council, he would like to see them follow the same guidelines that Council followed. Councilmember Clark agreed that it would be fine to have the Committee look at it again. Councilmember Truex did not want to see further delays and stated that he would like to go ahead with the decision given.

Geneva Ferraro, representing the petitioner, objected to the action Council was taking. She stated that they believed this same standard of vote should not be imposed on Site Plan Committee.

Vice-Mayor Paul made a motion, seconded by Councilmember Clark to table until the next site plan meeting. In a voice vote, Councilmember Truex dissenting, four voted in favor. (Motion carried 4-1)

Mr. Kiar was directed to prepare a resolution to establish a voting standard.

**9. PUBLIC COMMENTS**

*Ordinance - First Reading (Public Hearing to be held on July 18, 2001)*

**9.1 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-4 HACIENDA VILLAGE, LIGHT HEAVY INDUSTRIAL DISTRICT, TO U, UTILITIES DISTRICT AND M-2, MEDIUM INDUSTRIAL DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 4-4-01, Lammert/Florida Power & Light, 4900 Oakes and 3700 Kean Road)**

Town Clerk Muniz read the ordinance by title. Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

Councilmember Truex made a motion, seconded by Councilmember Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

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**10. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

*Ordinances - Second and Final Reading*

- 2001-33      **10.1 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, CREATING SECTIONS 12-32.100 THROUGH 12-32.106 ENTITLED "COMMUNITY BUSINESS CENTER DISTRICT"; PROVIDING FOR DEVELOPMENT REGULATIONS FOR THE COMMUNITY BUSINESS CENTER ZONING DISTRICT; AND AMENDING SECTION 12-503 ENTITLED "DEFINITIONS"; PROVIDING FOR DEFINITIONS RELATING TO THE CREATION OF THE COMMUNITY BUSINESS CENTER DISTRICT; PROVIDING FOR INTENT; PROVIDING FOR REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Muniz read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Bill Laystrom thanked staff and asked Council to consider allowing for a 20% retail use for the projects under this category instead of 10%. He read alternative language allowing for in-line retail use or to have retail as part of the bay itself, limited to no more than 20% of the gross square footage of each building. Mr. Laystrom felt that this might need to be limited to those directly abutting a major arterial road. He asked that the closing of bay doors be changed from 8:00 p.m. to 10:00 p.m. and offered a handout to Councilmembers.

Councilmember Truex questioned if Mr. Laystrom's suggestion could be something that was granted at Council's discretion. Mr. Laystrom suggested that this be handled by special permit. Mr. Kutney indicated that addressing the matter as a special permit was workable. Vice-Mayor Paul wanted to make sure these were done one at a time and not as a blanket approval.

Councilmember Truex made a motion, seconded by Councilmember Clark, to amend the ordinance to increase the percentage to 20% by special permit. In a voice vote, all voted in favor. (Motion carried 5-0)

Vice-Mayor Paul stated that she would like to keep the 8:00 p.m. Councilmember Truex recommended 9:00 p.m. Mr. Laystrom agreed.

Councilmember Truex made a motion, seconded by Vice-Mayor Paul, to incorporate the language [proposed by Mr. Laystrom] with 9:00 p.m. instead of 10:00 p.m. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve the ordinance with the two approved amendments. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

Mayor Venis closed public hearing.



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10.2      **PERMIT FEES** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,  
2001-34      RELATING TO REQUIRING AND COLLECTING PERMIT FEES FROM  
                 PROVIDERS OF COMMUNICATIONS SERVICES AND INCREASING THE  
                 LOCAL COMMUNICATIONS SERVICES TAX; PROVIDING FOR INTENT;  
                 PROVIDING FOR ELECTION NOT TO REQUIRE AND COLLECT PERMIT  
                 FEES; PROVIDING FOR ELECTION TO INCREASE LOCAL  
                 COMMUNICATIONS SERVICES TAX; PROVIDING FOR NOTICE TO THE  
                 DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY;  
                 PROVIDING AN EFFECTIVE DATE.

Town Clerk Muniz read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Truex made a motion, seconded by Vice-Mayor Paul, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

10.3      **MORATORIUM** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA  
2001-35      DECLARING A SIX MONTH MORATORIUM ON THE ACCEPTANCE OF  
                 APPLICATIONS FOR WIRELESS TELECOMMUNICATIONS TOWERS AND  
                 ANTENNAS AND ON THE ISSUANCE OF PERMITS AND APPROVALS  
                 FOR THE CONSTRUCTION OF WIRELESS TELECOMMUNICATIONS  
                 TOWERS; PROVIDING FOR EXCEPTIONS; SETTING FORTH EXPIRATION  
                 AND EFFECTIVE DATES.

Town Clerk Muniz read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Clifford Hertz, representing Voicestream Wireless Communications, indicated that his client was concerned about this ordinance and pointed out that moratoriums were a drastic measure. He stated that their customers would have an interruption or unavailability of service and asked Council to consider that wireless served public needs in terms of safety. Mr. Hertz asked Council to look at the option of rooftop mounts, which would not be visible from the streets, or antennas mounted on existing towers. He felt that there should not be a moratorium on co-location. Mr. Hertz stated that a Town owned property exception could be made as the Town would need to approve. He asked if staff could workshop any revisions to the ordinance with the industry.

Jerry Knight, representing Verizon Wireless, agreed with the previous speaker. He felt it might not have been Council's intent to preclude co-location and they would like to see that exception in the ordinance. He also encouraged that there be a workshop.

Nancy Ruben, representing BellSouth Mobility and Cingular Wireless, felt that an exemption should be made for repair and replacement of existing towers.

Tim Lewis, representing Florida Power and Light, stated that their concern was that radio communication was vital for restoration of services. He asked that in Section 2, item 2, the wording be amended to provide for government or electric utilities or emergency communications systems.

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Brian Chegus, representing Crown Castle - developer of communications towers, asked Council to exclude replacement towers and rooftop facilities. He stated that they had a history of locating towers to the satisfaction of cities and he also would like to be included in any workshops.

Mayor Venis closed the public hearing.

Mr. Kiar indicated there was case law regarding moratoriums and felt that the proposed six months was not unreasonable. He stated that he and Mr. Kutney agreed that this ordinance did not apply to the maintenance and repair of existing towers. Mr. Kiar indicated that the ordinance prohibited permits for new towers and antennae which he and Mr. Kutney construed as co-locating and rooftop. He added that Council had the right to amend this ordinance in any regard.

Mayor Venis questioned the statement from Mr. Lewis regarding Florida Power and Light. Mr. Kiar stated that Section 2 could be amended to add an exception if it pertained to government utilities or for emergency communication systems. Vice-Mayor Paul questioned if Florida Power and Light wanted to build a new tower to deal with emergency communications, a new tower could be built. Councilmember Truex responded that the emergency would have to be determined by Council which Mr. Kiar concurred with.

Councilmember Truex did not disagree with leasing on Town property and felt that co-location would be fine; however, he objected to rooftop applications. Councilmember Clark agreed.

Councilmember Starkey stated that this should not be done in a piece-meal fashion and a consultant should advise. She stated that the intent was not to deny but to find a way to put these facilities in place and the various applications should not be addressed here. Vice-Mayor Paul agreed and stated that the ordinance should be accepted as written.

Vice-Mayor Paul made a motion, seconded by Councilmember Starkey to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

Mr. Kutney asked if a consultant should be engaged. Mayor Venis recommended an RFP and Council agreed.

#### *Vacation/Abandonment*

10.4 **VACATION** - VA 4-1-01, F.L.R. Co. LLC., 5000 SW 82 Avenue (RM-5 and A-1) (to vacate a 15 foot ingress and egress easement approximately 772 feet in length) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Mr. Kutney summarized the staff report.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Mr. Kline, representing the petitioner, agreed with the staff report.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

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*Quasi Judicial Items*

- 10.5 **REZONING** - ZB 3-2-01, Town of Davie, 4200 SW 61 Avenue (from M-1 to RS)  
*Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Mayor Venis swore in witnesses. Mr. Kutney summarized the staff report.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the issue. No one spoke.

Councilmember Truex made a motion, seconded by Vice-Mayor Paul to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Paul - yes; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

- 10.6 **VARIANCE** - V 4-1-01, Anthony-Sylvan Pools Corp./Adams, 13101 SW 16 Court (A-1) (to reduce the required side yard setback from 25 feet to 21.5 feet) (tabled from June 20, 2001) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended denial*

As the petitioner was not present, Councilmember Truex made a motion, seconded by Vice-Mayor Paul, to table to next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

**11. APPOINTMENTS**

- 11.1 Youth Advisory Board (one exclusive appointment - Mayor Venis; term expires April 2002)

Mayor Venis deferred his appointment.

- 11.2 Child Safety Board (two exclusive appointments - Councilmember Truex; terms expire July 2002)

Councilmember Truex appointed Sharon Zane and deferred his second appointment.

- 11.3 Open Space Advisory Committee (two exclusive appointments - Vice-Mayor Paul and Councilmember Truex; one exclusive appointment - Councilmember Clark) (terms expire July 2002)

Vice-Mayor Paul appointed Hilda Testa and Toni Webb. Councilmember Truex appointed Joyce Stewart and Sandy Schweitzer. Councilmember Clark deferred her appointment.

- 11.4 Davie Agricultural Advisory Board (one exclusive appointment - Vice-Mayor Paul; term expires February 2002)

Vice-Mayor Paul appointed Dennis Devaugh.

- 11.5 Florida League of Cities - Delegate and Alternate

Council agreed that Councilmember Starkey would be the delegate.

Councilmember Starkey stated that any resolutions needed to be submitted to the Florida League by July 13th. Vice-Mayor Paul asked that some of the annexation issues be expressed. Mayor Venis asked for the Town to be reimbursed for drainage expenditures. He

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asked about traffic issues and sound barrier walls with Vice-Mayor Paul suggesting that some of the resolutions be sent. It was decided that staff would formulate a resolution if needed.

After discussion, Council agreed that Mayor Venis would be the alternate.

**12. OLD BUSINESS**

Councilmember Truex asked about the report to Pine Island Ridge. Mr. Willi indicated that the draft of what would be sent was in Councilmembers mailboxes.

**13. NEW BUSINESS**

**13.1 Advisory Boards - Councilmember Truex**

Councilmember Truex asked that this be deferred to the next meeting.

**13.2 Davie Agricultural Advisory Board Report**

Vice-Mayor Paul indicated that this report was a recommendation from the Davie Agricultural Advisory Board for Council to delete Section 12-34B (AG) in its entirety. It was agreed that staff would rewrite this and add it to the agenda for discussion.

**14. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 11:52 p.m.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk